

Message

From: Moore, Heaven [HMoore@srcity.org]
Sent: 10/23/2018 9:38:29 PM
To: Smith, DavidW [Smith.DavidW@epa.gov]
CC: Sudano, Nick [NSudano@srcity.org]; Thompson, Brendan@Waterboards [Brendan.Thompson@waterboards.ca.gov]
Subject: Input on EPA and RB alignment
Attachments: ATT00001.txt; epamemoinfiltrationclassvwells.pdf

Hi David,

I received your contact info from a colleague who attended your session at the CASQA conference. I understand you are looking recommendations for future improvements related to MS4 permits evaluation and tracking program progress, evolving monitoring, evaluation, and reporting approaches, and what key actions to improve capacity / permitting approaches concerning specific program elements.

I wanted to highlight two key areas for your consideration:

Infiltration BMPs and the definition of Class V wells by the Underground Injection Control Program

Per the attached 2008 memo, certain BMPs meet the definition of a Class V injection well and triggers the associated regulatory requirements (including testing and registration). This limits the use of these types BMPs which can be very effective in areas such as ours with clay soil, high land value, and infiltration requirements. The attached memo was an attempt to clarify some of this issue, but the underlying regulations have not been updated to my knowledge.

QSP/QSD for construction sites (and QISP/QISD for industrial sites) are hired by the developer or facility

The payment structure creates an awkward relationship where the QSP is identifying deficiencies by the developer, who is also the one paying them. We have observed many cases where this make the QSP/QSD ineffective at getting issues addressed. It also puts more of the inspection and enforcement burden onto the Cities.

I would love to discuss these issues with you further. Please let me know if you are interested and have time to discuss.

Thank you!

~Heaven

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